

January 21, 1976

Section 14 provides for the producers to amend or repeal the Act. The Committee felt very strongly that sometimes we establish these promotion programs and as needs and conditions change that the need for the committee may increase or decrease. So the section which I referred to is Section 14 provides that 15 percent, if the producer decide they want to repeal the Act, they can petition for a hearing. The Act They can ask for a bill to be introduced to the Legislature which would repeal the act.

Section 15 provides for contracts. It limits the committee to contracting with the University of Nebraska for Research and Development, thereby preventing the buildup of a bureaucracy of its own independent research. Sometimes these independent agencies go off hog wild, so to speak, and money is not well utilized. We wanted to prevent that.

Section 16 provides for that any violation of the Act shall be a misdemeanor and provides for a penalty.

Section 17 declares an emergency. I've asked that it take effect immediately.

If there are any questions I'd be glad to answer them, if not, I move the bill be advanced as amended.

SENATOR SIMPSON: Senator Burrows.

SENATOR BURROWS: Mr. Chairman, members of the Legislature. In the present form I would have to oppose this bill because of one problem that came through. This was in the definition of the word "egg producer". It refers to "or contracts for the care of layer type chickens". Now all these commodity check-offs are based on the principle that the producer receives the benefits of research and of increased prices if carried on this. I would have to have this changed before I could go along with this bill.

The contract person, in this case, that contracts for it may be a rather moderate sized operation who is locked into a three to five year contract with a specified price. Now that person contracting and raising those chickens is not the owner of the chickens. He cannot benefit by price increases that could be arrived at, or benefited from, through the check-off program.

I think it's totally unfair to take a check-off even if it may be returned from a person that cannot benefit from that portion of check-off used to promote that program. I'll use an example. It's like a farmer taking a check-off off the hired man whose locked in on a salary, whose locked in on what he gets, to promote the sale of his product, to assume that there will be a job there in future years. It would be like checking off beef, a check-off to support beef, out of the hired mans salary for the cattle producer.